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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/718,381	11/20/2003	Herve Y. Kermel	FIS920030193US1 (16928)	9525	
23389 7:	590 09/19/2005		EXAMI	NER	
SCULLY SCOTT MURPHY & PRESSER, PC			LINDSAY JR, WALTER LEE		
400 GARDEN	CITY PLAZA		ART UNIT	PAPER NUMBER	
SUITE 300 GARDEN CIT	Y, NY 11530		2812		

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



Application No.		Applicant(s)	
10/718,381		KERMEL ET AL.	
Examiner		Art Unit	
	Walter L. Lindsay, Jr.	2812	

this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with application in compliance with application in compliance with following time periods: a) The period for reply expires months from the mailing date of the final rejection. b) The period for reply expires on .(1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examines Note: If Not 11 is checked, check either box (6) or (0), ONLY CHECK DSK (0) WHEN THE REFIST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 766.07(i). Extensions of time may be obtained under 37 CFR 1.39(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of STFR 1.73(a) and the appropriate extension fee have been filed is the date for purposes of STFR 1.73(a). The proposed contains the stream of the appeal of the stream of the appeal of the stream of the stream of the appeal of the appeal of the appeal was filed on	Advisory Action	10/718,381 KERMEL ET AL.					
The RAILING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 30 August 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1 The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 11.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, noweer, will the statutory period for reply expires better than SIX MONITS from the mailing date of the final rejection. New Province of the Province of the Province of the Continued Facility of the Continued Facili	Before the Filing of an Appeal Brief	Examiner	Art Unit				
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been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from (i) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (i) above, if checked. Any reply received by the Office later than three months after the malling date of the final rejection, even if timely filed, may reduce any seamed patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) they raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s): would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s): would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) is (or will be) as follows: Claim(s) objected to: Claim(s) withdrawn from consideration: Claim(s) objected to: Claim(s) withdrawn from consideration: Claim(s) allowed: consideration: Claim(s) withdrawn	b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO						
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Claim(s) rejected: Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). Walter E. Lindsay, Ji. Walter E. Lindsay,	how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows:						
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13. Other: Walter L. Lindsay, Jr. Examiner	See Continuation Sheet.						
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Continuation of 11. does NOT place the application in condition for allowance because: Kim teaches a cleaning composition comprising sulfuric acid and hydrogen peroxide, that cleans a tungsten gate conductor, Fleming teaches the combination of sulfuric acid and hydrogen peroxide in a range of 5:1 to 10:1 on a semiconductor material. The combination of Kim and Fleming show the claimed invention, both Kim and Fleming utilize these cleaning compositions to clean semiconductor material. Kim shows a similar process as set forth in claim 1, Fleming teaches the combination of the chemicals set forth in claim 1 which would be found with undue experimentation with respect to Kim.